



Patents & Trademarks
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS AF, Commissioner for Patents, Alexandria, VA 22313-1450 on this date: December 05, 2006.

Name of Depositor: Daryl K. Neff

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael C. Gaidis et al.	Date: December 5, 2006
Serial Number: 10/709,999	Examiner: Dung Anh Le
Filed: June 11, 2004	Group Art Unit: 2818 Conf. #3998
Title: METHOD OF PATTERNING A MAGNETIC TUNNEL JUNCTION STACK FOR A MAGNETO-RESISTIVE RANDOM ACCESS MEMORY	Joseph P. Abate IBM Corporation D/18G, B/321, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) is \$500.00.

Please charge the fee to Deposit No. 09-0458 of the Assignee.

I am an attorney acting under 37 CFR 1.34.

Respectfully submitted,
Michael C. Gaidis et al.

By:

Daryl K. Neff, Attorney
Registration No. 38,253
Telephone: (973) 316-2612

12/08/2006 HUUONG1 00000061 090458 10709999

01 FC:1401 500.00 DA

FIS920040017US1